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9 Attorneys for Plaintiff and Counter Defendant

ISM Industries, Inc.

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 **ISM INDUSTRIES, INC.,**

15 **Plaintiff,**

16 **vs.**

17 **STEARNS, CONRAD AND SCHMIDT,**
18 **CONSULTING ENGINEERS, INC.**
19 **D/B/A SCS ENERGY, MITCHELL**
20 **ENERGY SERVICES, LLC, AND**
21 **KILGORE INDUSTRIAL CIVIL, L.L.C.,**

22 **Defendants.**

23 **STEARNS, CONRAD AND**
24 **SCHMIDT, CONSULTING**
25 **ENGINEERS, INC. D/B/A SCS**
26 **ENERGY,**

27 **Counterclaimants,**

28 **vs.**

ISM INDUSTRIES, INC.,

Counter-Defendant.

Case No. 2:19-cv-01134-JAK-JC

Hon. John A. Kronstadt

ISM INDUSTRIES INC.'S
NOTICE OF VOLUNTARY
DISMISSAL OF DEFENDANT
KILGORE INDUSTRIAL CIVIL,
L.L.C.

Trial Date: None Set

1 **NOTICE IS HEREBY GIVEN** that Pursuant to Federal Rule of Civil
2 Procedure 41(a) that Plaintiff ISM Industries Inc., by and through their undersigned
3 counsel of record, hereby dismisses its claims and causes of action against
4 Defendant KILGORE INDUSTRIAL CIVIL, L.L.C. in the above-captioned action
5 without prejudice.

6
7 DATED: April 17, 2019

Respectfully submitted,

8 **LAW OFFICES OF JAMES WIMBERLEY**

9 By: /s/James F. Wimberly
10 JAMES F. WIMBERLEY (*pro hac vice*
11 pending)

12 **SYVERSON, LESOWITZ & GEBELIN,**
13 **LLP**

14 By: /s/Steven T. Gebelin
15 STEVEN T. GEBELIN

16 *Attorneys for Plaintiff and Counter-Defendant*
17 ISM Industries, Inc.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this case. My business address is 8383 Wilshire Blvd., Suite 520, Beverly Hills, CA 90211.

A true and correct copy of the foregoing document described as ISM INDUSTRIES INC.'S NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT KILGORE INDUSTRIAL CIVIL, L.L.C. was served in the manner indicated below:

TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING – Pursuant to controlling General Order(s), the foregoing document will be served by the court via the CM/ECF docket for this case and determined that the following(ing) person(s) are on the Electronic Mail Notice List to receive transmission at the email addresses indicated below:

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Attorneys for Plaintiff and Counter-Defendant Kilgore Industrial Civil, LLC

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 17, 2019, at Beverly Hills, California.


Steven T. Gebelin